

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D.C. 20426

July 21, 2005

In Reply Refer To:
TransAlta Energy Marketing Corp.
TransAlta Energy Marketing (California)
Inc.
Docket Nos. ER05-1016-000,
ER05-1017-000,
ER96-1316-000, and
EL05-111-000

Vinson & Elkins L.L.P.
Attn: Stephen Angle, Esq.
Counsel for TransAlta Energy Marketing Corp. and
TransAlta Energy Marketing (California) Inc.
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Mr. Angle:

1. On May 24, 2005, TransAlta Energy Marketing Corp. and TransAlta Energy Marketing (California) Inc. (collectively TransAlta Companies or Applicants) submitted notices of cancellation for their market-based rate tariffs.¹ In this order, we accept TransAlta Companies' notices of cancellation and Applicants are hereby informed of the tariff designations.²

¹ TransAlta Companies should have filed updated market power analyses by June 30, 2002, three years from the date the Commission acted on their previous filings. TransAlta Companies, however, did not file again until May 24, 2005, approximately three years out of time.

² TransAlta Energy Marketing Corp., Rate Schedule FERC No. 1, First Revised Sheet No. 1 (cancels Rate Schedule FERC No. 1). TransAlta Energy Marketing (California) Inc., Rate Schedule FERC No. 1, First Revised Sheet No. 1 (cancels Rate Schedule FERC No. 1).

2. This order also terminates the section 206 proceeding instituted in Docket No. EL05-111-000 with regard to TransAlta Energy Marketing Corp. and TransAlta Energy Marketing (California) Inc.³ TransAlta Companies had already submitted notices of cancellation, and thus were inadvertently included in the Docket No. EL05-111-000 proceeding.

Procedural Matters

3. Notice of Applicants' May 2005 filing was published in the *Federal Register*, 70 Fed. Reg. 37384 (2005), with interventions or protests due on or before June 14, 2005. None was filed.

Discussion

4. On May 24, 2005, Applicants filed notice of cancellation requesting that the Commission cancel their market-based rate tariffs. They state that neither company is actively engaged in any wholesale sales of electricity at market-based rates currently, and neither one intends to engage in such sales in the future.

5. Applicants requested an effective date of May 24, 2005 stating that good cause exists for the Commission to grant such a waiver because there have not been any recent transactions under either entity's tariff, and there are no current customers who would be adversely affected. Applicants have not demonstrated good cause to justify waiver of the prior notice requirement for an effective date of May 24, 2005.⁴ Therefore, consistent with section 205 of the Federal Power Act and 18 CFR § 35.3, these notices of cancellation will be effective July 22, 2005, following 60-day notice from the date of filing. We note that because Applicants' request to cancel their market-based rate authority is granted herein, any waivers and authorizations previously granted in connection with their market-based rate authority are no longer applicable.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.

³ See *3E Technologies, Inc.*, 111 FERC ¶ 61,295 (2005) (instituting a section 206 proceeding for the listed entities that had failed to comply with the requirement to submit an updated or revised market power analysis).

⁴ 18 CFR § 35.15 (2005).